

Attachment3i

Although every opportunity has been extended to Ms. Martin to correct the short-comings outlined in Attachments 1 and 2, no progress is evident on her part. In fact the problems seem to grow exponentially with the passage of time. As of this date, September 30, 2004, the following issues have arisen.

- 1. A magistrate had stock-piled case files in her office for several months, resulting in several cases to Be transferred for felony cases not being prosecuted by the proper court, meaning that the defendant was not and will not be prosecuted for these felony offenses, for this serious error, the magistrate in question-was issued a memo by Ms. Martin. 'Both the Assistant City Attorney and I discussed the seriousness of this matter with Ms. Martin and advised her that this infraction warranted-more disciplinary action than a memo. I requested that Ms. Martin inform me of what further action was taken, But Ms. Martin has failed to inform me of any further action on her part so I must assume that none was taken.*
- 2. Another magistrate failed to recall a warrant after accepting money from a defendant for payment of a fine, resulting in the defendant's arrest later for a warrant that should have Been recalled. No action has yet been initiated by Ms. Martin regarding this situation.*
- 3. Ms. Martin was standing in the Courtroom on Tuesday, the 28* of September, 2004 during Traffic Arraignments when I realized that we needed another magistrate in the Courtroom to help enter youthful offender defendants into the computer system. Since Ms. Martin was already present in Court, it would seem that she would have assisted, however she was completely unable to do so as she lacks even rudimentary understanding of the process involved.*
- 4- On Tuesday, September 29*, 2004, Ms. Martin stood in the front area of the Magistrates' Office without intervening as one magistrate, in the words of another magistrate present at the time "bellowed" at a fellow magistrate for a perceived error. Ms. Martin never did intervene in the situation.*